



Petition under 37 CFR § 1.78(a)(3)

Applicant: Myszka
Serial No.: 10/756,824
Filing Date: January 13, 2004
Examiner: Mohandesi, Jila M.
Art Unit: 3728
Confirmation No.: 2383

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

I hereby certify this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted (571-273-8300) to the USPTO, on June 9, 2006.

Fred H. Zollinger III, Reg. No. 39,438

The Applicant respectfully petitions under 37 CFR § 1.78(a)(3) for the acceptance of an unintentionally delayed claim of priority under 35 USC § 120. The entire delay between when the claim was due and the current correct claim submission was unintentional. The Applicant made a priority claim upon filing the present application by including a claim of priority in the application transmittal submitted with the application. The Examiner has indicated that the priority claim did not include the relationship between the present application and the parent applications. The Applicant has thus submitted an amendment accompanying this petition to state the correct priority claim on the first page of the specification.

The surcharge required under 37 CFR § 1.17(t) is enclosed.

The Applicant respectfully requests this petition to be accepted and the requested priority claim be entered in the application so that the present application may gain the benefit of the original January 24, 2001, filing date.

Respectfully submitted,

Fred H. Zollinger III, Reg. No. 39,438